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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

17 FEDERAL TRADE COMMISSION,
18 Plaintiff
19 v.
20 MICROSOFT CORP.,
and
21 ACTIVISION BLIZZARD, INC.
22 Defendant

CASE NO. 3:23-cv-02880-JSC

**DECLARATION OF PAGE ROBINSON IN
SUPPORT OF DEFENDANT ACTIVISION
BLIZZARD, INC.'S STATEMENT IN
RESPONSE TO PLAINTIFF FEDERAL
TRADE COMMISSION'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (Civil L.R. 79-5(f)) [ECF NO. 34]**

Judge: Hon. Jacqueline Scott Corley

1 I, Page Robinson, declare as follows:

2 1. I am a Senior Director of Litigation and Intellectual Property at Activision
3 Blizzard, Inc. (“Activision”). I submit this declaration in support of Activision’s Statement
4 in Response to Plaintiff Federal Trade Commission’s Administrative Motion to Consider
5 Whether Another Party’s Material Should be Sealed. In my role, I have personal
6 knowledge of Activision’s use and protection of non-public, highly sensitive, and
7 confidential business information, including the information at issue here.

8 2. I have personal knowledge of the facts set forth below, and I can and would
9 competently testify to such facts if called to do so.

10 3. I have reviewed and am familiar with the portions of Plaintiff’s Complaint
11 for a Temporary Restraining Order and Preliminary Injunction that Plaintiff filed under
12 seal because it contained information designated by Activision as “Confidential.” Such
13 information is identified in Plaintiff’s Administrative Motion to Consider Whether Another
14 Party’s Material Should be Sealed (ECF No. 34) (the “Administrative Motion”).

15 4. As set forth in the Statement in Response to the Administrative Motion,
16 some of the portions identified in Plaintiff’s Administrative Motion contain non-public and
17 highly sensitive information, including, but not limited to, information reflecting
18 confidential internal business data, revenue figures, assessments of the competitive
19 landscape, internal decision-making processes, business strategy, and strategic evaluation
20 of forward-looking opportunities.

21 5. As further set forth in the Statement in Response to the Administrative
22 Motion, some of the portions identified in Plaintiff’s Administrative Motion contain non-
23 public and highly sensitive information, including, but not limited to, information
24 reflecting business partnerships, as well as the terms of confidential agreements that
25 Activision does not disclose to third parties.

26 6. This information could be used to injure Activision if made publicly
27 available, and it would cause competitive harm to Activision if the above information was
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1 publicly disclosed. For example, disclosure of this information would give Activision's
2 competitors insight into its strategies, plans, and assessments regarding potential
3 opportunities, and those competitors may alter their strategic plans or offerings if they
4 knew Activision's strategies and plans. Disclosure of this information would also harm
5 Activision by allowing its competitors to circumvent the time and resources expended by
6 Activision in developing its internal practices and strategies. Disclosure of this information
7 would further harm Activision's negotiating position with its business partners.

8 7. Activision takes robust measures to maintain the confidentiality of all the
9 above-described information, including limiting internal disclosure of some of this
10 information to persons on a need-to-know basis, and does not disclose it publicly. All of
11 this information was designated as confidential pursuant to Section 21 of the FTC Act, 15
12 U.S.C. § 57b-2, and/or as Confidential pursuant to the Protective Order Governing
13 Confidential Material entered on December 9, 2022 in *In the matter of Microsoft Corp. &*
14 *Activision Blizzard, Inc.* Docket No. 9412 (FTC). For these reasons, Activision
15 respectfully requests that the Court order the portions set forth in its Statement in Response
16 to the Administrative Motion to be sealed.

17 I declare under penalty of perjury under the laws of the United States of America
18 that the foregoing is true and correct to the best of my knowledge and belief.

20|| Executed on June 20, 2023, in Santa Monica, California.

/s/ Page Robinson
Page Robinson

1 **SIGNATURE ATTESTATION**

2 Pursuant to Civil Local Rule 5-1(h)(3), I attest under penalty of perjury that
3 concurrence in the filing of this document has been obtained from any other signatory to
4 this document.

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6 Dated: June 20, 2023

/s/ *Caroline Van Ness*
7 Caroline Van Ness

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